

2003 Legislative Session  
August 4, 2003

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	Description	Status
	<b>Levies</b>	
HF 175	<p>Clean up clarification for the use of Physical Plant and Equipment Levy (PPEL) The bill enacted the following changes to uses for the revenue from the regular and voter-approved physical plant and equipment levies. Iowa Code section 298.3 subsections 3 and 10.</p> <p>3. <del>The purchase of buildings and the</del> purchase, lease, or lease-purchase of a single unit of equipment or technology exceeding five hundred dollars in value <u>per unit</u>.</p> <p>10. <del>Lease-purchase</del> <u>The purchase of buildings or lease-purchase</u> option agreements for school buildings <del>and for equipment exceeding in value five thousand dollars per single unit.</del></p> <p>This Act, being deemed of immediate importance, takes effect upon enactment.</p>	Governor Signed
	<b>Contracts</b>	
SF 272	<p>Contract Conflicts A bill relating to conflicts of interest in public contracts for school board members. The language grants school and community college board members more discretion to participate in public bids.</p>	Governor Signed
	<b>Funding</b>	
HF 472	<p>Federal Appropriations A bill appropriating federal funds made available from federal block grants and other federal grants, allocating portions of federal block grants, and providing procedures if federal funds are more or less than anticipated or if federal block grants are more or less than anticipated.</p>	Governor Signed
SF 211	<p>Allowable Growth A bill providing for the establishment of the state percent (2 percent) of growth for purposes of the state school foundation program.</p>	Governor Signed
SF 452	Appropriations	Governor Signed

	<p>\$3 million for ACE infrastructure funds (RIF money). ACE programs are run by the Community College.</p> <p>\$2 ½ million for ACE infrastructure funds from the Tobacco funds.</p> <p>\$500,000 for playground safety funding at UNI</p> <p>\$10 million for Digital Television at Public Broadcasting</p> <p>\$600,000 for library technology</p>	
HF 662	<p>Education Appropriations (Indicates Previous year)</p> <ul style="list-style-type: none"> <li>◆ Student Achievement and Teacher Quality \$44,275,000 (40,000,000)</li> <li>◆ Community Colleges \$139,260,763 (138,585,680)</li> <li>◆ Community College Supplement \$762,675 (0)</li> <li>◆ Vocational Education to Secondary Schools \$3,012,209 (\$2,938,488)</li> <li>◆ School Food Service \$2,574,034 (\$2,574,034)</li> <li>◆ Iowa Empowerment Fund \$13,724,712 (\$13,724,712)</li> <li>◆ General Administration \$5,031,243 (\$5,031,243)</li> <li>◆ Nonpublic Textbooks \$578,880 (\$578,880)</li> <li>◆ Regional Telecommunications Council \$1,619,656 (\$1,619,656)</li> <li>◆ Public Broadcasting \$6,270,467 (\$6,270,467)</li> <li>◆ Voc Rehab \$4,231,742 (\$4,231,742)</li> <li>◆ Board of Educational Examiners Licensing Fees</li> </ul>	Governor Signed with Vetoes
SF 458	<p>Standings/Salary</p> <p>July 1, 2002 to June 30, 2003 Reductions</p> <ul style="list-style-type: none"> <li>◆ Rebuild Iowa Infrastructure Fund-\$2,150,000</li> <li>◆ Transfer from Iowa Infrastructure Fund to Environment First-\$18,445,000</li> <li>◆ At-Risk Children Programs-\$1,000,000 (maintains the same appropriation as last year)</li> </ul> <p>July 1, 2003-June 30, 2004 Appropriations</p> <ul style="list-style-type: none"> <li>◆ Educational Excellence-\$56,891,336</li> <li>◆ Nonpublic School Transportation-\$7,799,550 (Same as last year)</li> <li>◆ Early Intervention/Class Size Reduction-\$30,000,000, Extends to June 30, 2004 (Same as last year)</li> <li>◆ Accelerated Career Education Program \$4,000,000 (Same as last year)</li> <li>◆ Iowa Math and Science Coalition \$47,000 (New money)</li> </ul>	Governor Signed

	<ul style="list-style-type: none"> <li>◆ Appropriates \$500,000 and expands Team-based variable pay to June 30, 2005 (Reallocation from Education Excellence)</li> <li>◆ K-12 management information system-\$230,000 (Same as last year)</li> <li>◆ Allocates \$170,000 to the State Board of Regents for the Iowa Braille and Sight Saving School and Iowa State Schools for the Deaf. (Same as last year, funding out of Education Excellence)</li> </ul> <p>Other Items</p> <ul style="list-style-type: none"> <li>◆ Removes Phase III language</li> <li>◆ Regional Academies-narrows the grade level from 7-12 to 9-12, allows curriculum from vocational-technical courses as opposed to programs, and places a cap on the maximum amount the state will allocate for regional academy. (\$1 million)</li> <li>◆ Policy on withdrawal and grades for community college students called to active duty.</li> <li>◆ Lower the limit for OWI to .08</li> <li>◆ Salaries funded at \$28 million. The following agencies receive priority: Judicial Branch, Corrections, DHS and Public Safety.</li> </ul>	
	<b>State Government</b>	
HF 534	<p>Administrative Services Department</p> <p>A bill providing for the reorganization of certain state departments (General Services, Personnel, Information Technology and selected areas from other state agencies) by establishing a department of administrative services, making related changes, providing penalties, making appropriations, and providing an effective date.</p>	Governor Signed
	<b>Community Colleges</b>	
HF 341	<p>Clean up language for Community College faculty</p> <p>A bill relating to personnel and instructors employed by community colleges. Added groups of CC employees who were protected by bargaining and omitted from HF 2394 of the 2002 session. For example librarians, instructional administrators, and counselors.</p>	Governor Signed
SF 433	<p>Community College Funding</p> <p>Appropriates 4 million to the Workforce Development Fund. This is used primarily for 260F projects run at the community college.</p>	Governor Signed
SF 439	Community College GED and Adult Education Funding	Governor Signed

	Appropriates \$1 million for correctional education, specifically directed to GED and adult education at the community colleges	
HF 677	Job Tax Credit A bill for an act relating to new capital investment for businesses and new jobs by creating a new capital investment program, creating tax incentives, and amending the new jobs and income program.	Governor Signed
HF 548	Law Enforcement Training A bill for an act relating to law enforcement officer training at the Iowa law enforcement academy, and providing for a fee.	Governor Signed
	<b>Licensure</b>	
HF 206	Mandatory reporting of suspected child sexual abuse A bill requiring the mandatory reporting of suspected child sexual abuse. Raises the age from 12 to 16 for which child abuse must be reported. Requires completion of 2 hours of training within 6 months of employment. Within 1 month of employment the person shall obtain requirements of the abuse reporting requirements.	Governor Vetoed entire bill
SF 201	Board of Educational Examiners A bill relating to a review of statistical information compiled by the board of educational examiners from Praxis II examinations administered to initial, provisional teaching license applicants. Requires the BOEE to compile information from the Praxis II exams by teacher preparation program. The test is taken by undergraduates in an education program.	Governor Signed
	<b>Other Items</b>	
HF 577	Whole Grade Sharing Waiver A bill allowing the DOE to waive the deadline for districts under 300 that have a dissolution commission and missed the deadline to sign a whole grade sharing agreement.	Governor Signed
SF 453	Reinvention Bill A bill reducing state funding to AEAs for FY04 by \$10 million and captures \$10 million from AEA reserves. Funds students at the Cherokee Mental Health Institute, Independence Mental Health Institute, Iowa Juvenile Home in Toledo, and State Training School in Eldora off the top of state aid for schools.	Governor Signed with Vetoes
SF 386	Health Insurance A bill requiring the insurance division of the department of commerce to establish a	Governor Signed

	<p>school health insurance reform study team and to make recommendations to the general assembly. Commission shall include representation from each of the following:</p> <ul style="list-style-type: none"> <li>-School districts with fewer than 600 students.</li> <li>-School districts between 600 and 999 students.</li> <li>-School districts with 1000 or more students.</li> <li>-IASB</li> <li>-Collective Bargaining Association</li> <li>-Health Insurance Carrier</li> <li>-Health Insurance Provider</li> <li>-Area Education Agency</li> <li>-Others, who in the opinion of the commissioner have expertise that would assist the team in accomplishing its purpose.</li> </ul> <p>Report will include establishing the following: a premium rate system, health benefit plans, establish uniform coverage plans with benefit coverage that may be added to the basic or standard plans, uniform coverage plan, restrictions on premium rates and increases, and school district health reinsurance programs. Requires the health insurance study to look at coverage. Report due January 15, 2004.</p>	
HF 180	<p>Character Education</p> <p>A bill permitting school districts to add a community service endorsement to high school diplomas. Service learning is defined as a method of teaching and learning which engages students in solving problems and addressing issues in their school or greater community as part of the academic curriculum. School Improvement Committee shall consider recommendations to infuse character education in the educational program.</p>	Governor Signed
SF 172	<p>Charter Schools</p> <p>A bill relating to the establishment of a public charter school pilot program and providing effective and applicability dates. Clean up language.</p>	Governor Signed
SF 173	<p>Dues for Professional Organizations</p> <p>A bill allowing schools to deduct dues or membership fees for a nonprofit professional organization if the teacher or administrator requests the school to do so.</p>	Governor Vetoed
HF 545	<p>Newspaper</p> <p>A bill relating to the requirements for newspapers designated for official publication</p>	Governor Signed

	purposes.	
HF 683	<p>Iowa Values</p> <p>A bill relating to economic development and taxes. Specific items include establishment of Community College Career Academies and funding for school infrastructure. Funding for Community College Career Academies is established at 5 million a year for three years and 10 million the forth year. Rules for the academy shall be adopted by the department of economic development in conjunction with the state board of education. Funding formula for school infrastructure concentrates funding on school districts with the lowest sales tax revenue first. Potential funding for school infrastructure is \$15 million. Districts intending to use the supplement for new construction must submit a certificate of need and receive approval from the Department of Education.</p>	Governor Signed with Vetoes
HF 692	<p>Property and Sales Tax</p> <p>A bill establishing a sales tax study committee, property tax pilot project, Grow Iowa Board, five Grow Iowa Values Geographic Regions, and business loan and credit guarantee program.</p>	Governor Signed with Vetoes
SF 445	<p>Sales Tax</p> <p>SAVE: Creates a special fund (Secure an Advanced Vision for Education) for the collection of local option school taxes. New Tax: Creates a guaranteed amount for per student for schools in counties that impose the tax after April 1, 2003. Limits the amount a school receives to the guarantee. Potential statewide average may be \$575 per pupil. Certificate of Need: Prohibits school districts from spending supplemental funding on new construction without certification from the department of education. Certificate of needs shall consider enrollment trends, project, fire and health safety, distance and convenience for students, availability of alternatives, financial condition, ability to support quality academic program, and cooperation with other educational entities.</p> <p>Allows schools where the tax is imposed to enter into a 28E with an AEA or Community College.</p> <p>Use of the guaranteed amount:</p> <p>1) District that have a local option sales tax before April 1st and want to receive the supplemental weighting must use it to reduce property taxes unless they vote and approve a revenue purpose statement.</p>	Governor Signed

	<p>2) Districts that will vote on the sales tax between April 1 and July 1 have a grace period and may use the sales tax and supplemental weighting for what ever they want without having to relieve property taxes.</p> <p>3) Districts that vote on the sales tax after July 1 must have a voter approved revenue purpose statement or the money will go to property tax relief.</p> <p>Amendment expands the use of local option revenue to any PPEL or PERL allowable expense.</p>	
	<b>Department of Education</b>	
HF 549	<p>Department Bill</p> <p>A bill relating to the following: development and expansion of the Department of Education student data collection system to meet the requirements of No Child Left Behind, AEA reorganization deadlines, purchasing of buses, fees for substance abuse courses for in and out of state offenders, Teacher Quality clean up language, delays additional days of staff development days, appointment of treasurer and secretary, superintendents may also be the high school or elementary principal, develop rules for voluntary desegregation plans, expands reorganization incentives to districts over 600, and elimination of Phase III language. Further explanation below.</p>	Governor Signed with Vetoes

### HF 549 TALKING POINTS

**Student Member of State Board** – Allows the nonvoting student member appointed to the State Board of Education to be appointed without regard to political affiliation and gender balance.

**Student Achievement Reporting** – Requires the State Board of Education to incorporate the reporting of student achievement into the standards and accreditation process.

**Student Data Management System** – Allows the Department to expand the current data management system to meet federal requirements of No Child Left Behind. The system will provide electronic transfer of individual student records between schools, districts, postsecondary institutions, and the department. The system will ensure confidentiality and protection of student privacy.

**Phase III Repealed** – Phase III of the Educational Excellence Program is repealed and various statutory references are also repealed or eliminated. The funding for the Educational Excellence Program is reduced by \$10 million in SF 458, the Standings and Salary bill, which is the last of the Phase III dollars appropriated.

**Early Intervention Program (K-3 Class Size)** – The statutory provisions of the Early Intervention Program is extended for one more year. The program was scheduled to sunset July 1, 2003. The \$30 million appropriation is extended to FY 2004 in SF 458, the Standings and Salary bill.

**Reorganization incentive** - Allows school districts with enrollment of over 600 pupils to enter into a reorganization or dissolution agreement with a school district that has an enrollment under 600 and this arrangement would now qualify for reorganization incentives (reduction in the foundation property tax for a limited time). The larger school district would receive a property tax reduction that would be no greater than the highest dollar reduction amount received by any school district under 600 pupils.

**Whole Grade Sharing Incentives** – Provides a two-year extension of the ability of a school district to participate in whole grade sharing weighting incentives, which will allow schools to qualify for the incentives up and until the deadline for districts to reorganize on or before July 1, 2006.

**Development of Military Anti-harassment Policy** - Directs the Board of Regents to develop a policy by August 1, 2003, and each regents institution be required to enforce the policy with appropriate sanctions, that would prohibit harassment, or intimidation directed at an individual wearing a uniform or distinctive part of a uniform of the U.S. armed forces on institution property.

**Principal Teaching Experience** - Would require the Board of Educational Examiners to adopt criteria for administrative endorsements that allow a principal to serve at any level, irrespective of the grade level of the practitioner's teaching experience.

**Sexual Exploitation by a School Employee - Licensure** - Adds being found guilty of sexual exploitation by a school employee as a reason for the Board of Educational Examiners to disqualify an applicant for a teacher license.

The bill also directs school districts or AEAs and nonpublic schools to report to the Board of Education Examiners the non-renewal, or termination of a contract, or resignation of a practitioner as a result of an incident or allegation of misconduct that if proven would constitute sexual exploitation and violate the licensure rules when there is a



good faith belief that the incident occurred or the allegation is true. The information reported to the board is privileged and confidential. "Misconduct" is defined as actions relating to sexual exploitation by a school employee. The Board of Educational Examiners shall review whether a complaint should be initiated.

**Sexual Exploitation by a School Employee – Criminal Charges:** The bill provides that a school practitioner shall not engage in any sexual conduct with a public or nonpublic elementary or secondary school student. The bill provides that a practitioner (teacher/administrator) commits a class "D" felony if the employee engages in a pattern or practice or scheme of conduct to engage in such sexual conduct with a student. The bill provides that a school employee commits an aggravated misdemeanor if the employee engages in such sexual conduct with a student.

**Student Teacher** - Add to the minimum experiences and responsibilities to be accomplished during a student teacher's teaching experience. The student teaching experience shall include opportunities for the student teacher to become knowledgeable about the Iowa teaching standards, including a mock evaluation.

**Area Education Agency Director Elections** – Allows area education agency directors to be elected by a mail-in ballot rather than the current process through district conventions. The ballots will be sent by certified mailed by September 1<sup>st</sup> and must be returned by September 30<sup>th</sup>. The AEA directors are still elected by the school boards in the AEA director districts with each school board vote weighted upon the ratio of the population of the school district compared to the population of all the school districts in the director district. If a vacancy needs to be filled or if a new AEA is formed, then a director district convention is held with 30 days notice.

**Temporary Contracts for Teachers / Administrators** - Allows a school district to provide a temporary contract to a teacher or administrator to fill a vacancy due to the leave of absence of an individual for military service. The temporary contract shall automatically terminate upon return of the individual from service.

**School Retirement Incentives** – Changes the date from June 30<sup>th</sup> to the start of the next school calendar to allow school employees employed through the summer to continue their service through the end of their contract period.

**Superintendent as Principal** – Permits school superintendents to also serve as an elementary or secondary school principal. The current law would only allows the superintendent to serve as an elementary school principal.

**Open Enrollment Under Desegregation Plans** - Directs the State Board of Education to establish guidelines and a review process for school districts that adopt voluntary desegregation plans by July 1, 2004. The guidelines are to include standards and criteria for schools to follow when developing changes to school building boundaries and

with open enrollment. The amendment also directs the Department to provide technical assistance to school districts seeking to adopt voluntary desegregation plans. School districts that have implemented a voluntary desegregation plan prior to July 1, 2004 will have until July 1, 2006 to comply with the guidelines. The bill also requires the school district to approve any open enrollment requests received in a timely manner prior to its adoption of a desegregation plan. This provision takes effect upon enactment and applies retroactively to July 1, 2002.

**Teacher Quality Changes** - The bill also includes changes to the Teacher Quality Program. Most of the changes were also part of the Governor's bill addressing Teacher Quality. Highlights of those changes are as follows:

- Removes a requirement for teachers from out of state or from accredited nonpublic schools to have three years of successful teaching experiences within the last five years. The requirement will just be three years of successful teaching experiences.
- Cleans up references to "model" criteria to be just criteria.
- Changes "provisional" teaching licenses to just initial licenses.
- Moves career evaluations back one year from July 1, 2004, to July 1, 2005.
- Changes the requirement for two additional contract days from the fourth year of participation to the fifth year of participation (July 1, 2005).
- Changes the name of a teaching license from an "educational" license to a "standard" license.
- Includes the evaluator with the teacher's supervisor to review the teacher's individual plan.
- Delays intensive assistance program one year from July 1, 2004 to July 1, 2005.
- Allows the review panel to conduct random audit of performance reviews and how evaluators are evaluating teachers based on the Iowa teaching standards.
- Continues team based variable pay pilot project and requires the department to provide technical assistance to districts in the area of goal setting and assessing students. Provides preference to school districts that had previously participated in any previous study. Adds to the purpose of the pilot program the demonstration of successful methods to implement team based variable pay, and allows comparison of student achievement gains compared to other similar schools not participating in a team based variable pay. (SF 458, the Standings and Salary Bill, earmarks \$500,000 for team-based variable pay.
- Establishes temporary salary requirements for FY 2004 that maintains the salary levels of beginning teachers at \$24,500 and new career teachers at \$25,500, because anticipated funding is not expected to be much greater than the year before.
- The funding for Teacher Quality is not included in this bill.

**Bids for School Buses** - Allows schools to solicit bids for bus chassis and body together.

**School Bus Drivers – Insulin Dependent** - Allows an insulin-dependent diabetic to qualify to operate a school bus if the person meets stringent conditions. If conditions are not met, the bus driver faces immediate suspension pending a termination hearing.

**Substance Abuse Training Fee** - Allows the Department to assess fees to in-state and out-of-state offenders taking substance abuse courses.

**Area Education Agency Reorganization** - Changes the AEA reorganization dates as follows:

Current Deadline	Action	Proposed Deadline
March 1	Deadline for twenty percent of the districts to file a petition with the AEA board to consider reorganization. The affected AEA board shall consider the request and vote on the petition. If a majority of the members vote to study reorganization the study shall begin immediately.	<b>December 1</b>
November 1	AEA submits plan to the state board	<b>July 15</b>
February 1	State board acts on the plan.	<b>September 30</b>
February 10	Resubmit plan with modifications, if applicable	<b>October 30</b>
Within 15 days of approval	AEA must notify districts of the plans approval by the state board.	Within 15 days of approval
60 days after the state board approval	School shall petition the AEA board to leave the AEA	<b>45 days after state board approval</b>
No deadline	Both AEA boards must act on the school's petition.	<b>45 days after the LEA files the request</b>
Prior to effective date of the reorganization	Publish date and time of the convention.	<b>30 days prior to convention</b>
Prior to the effective date of the reorganization.	Director district convention.	<b>On or before January 15<sup>th</sup></b>
March 1	Public hearing on the AEA budget.	March 1
March 15	Submit budget to the Department of Education.	March 15
April 1	State Board reviews budget.	April 1
April 15	Resubmit budget to the state board if revisions needed.	April 15
July 1	Reorganization effective	July 1

## **Bill that Failed the Session**

<b>New Century Learning</b>
Establishes a New Century Learning Technology Initiative to provide public and nonpublic 7 <sup>th</sup> and 8 <sup>th</sup> grades students with laptop computers and to enable the integration of wireless learning technology for elementary and secondary students. Creates a New Century Learning technology for elementary and secondary students. Creates a New Century Learning Technology Commission and fund. Makes the bill subject to an appropriation. Contains related provisions.
<b>Nonpublic Transportation and Textbook</b>
Establishes annual increase in specified state aid to nonpublic schools at the same rate as the allowable growth rate.
<b>Reorganization Incentives</b>
Establishes minimum high school enrollment, reorganization commission, and incentives to share services.
<b>Virtual Academy</b>
Establishes guidelines and an appropriation for the virtual academy.